

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION – KANSAS CITY**

**GEICO GENERAL INSURANCE
COMPANY,**

and

**GOVERNMENT EMPLOYEES
INSURANCE COMPANY,**

Plaintiffs,

v.

MARTIN BRAUNER,

and

M.O.,

Defendants.

AND

MARTIN BRAUNER

and

M.O.,

Counter-plaintiffs,

v.

**GEICO GENERAL INSURANCE
COMPANY,**

and

**GOVERNMENT EMPLOYEES
INSURANCE COMPANY,**

Counter-defendants,

Case No. 4:22-cv-00082-CV-W-FJG

GEICO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and this Court's local rule 56.1, Plaintiffs Government Employees Insurance Company and GEICO General Insurance Company (collectively "GEICO") move for summary judgment. In support of this motion, GEICO provides its accompanying memorandum with authority and argument for why GEICO is entitled to judgment as a matter of law. In short, the subject GEICO policy's terms, as interpreted by Kansas law, demonstrate that M.O.'s alleged injury is not covered by that GEICO policy.

WHEREFORE, GEICO requests this Court grant GEICO's Motion for Summary Judgment, and for all other relief this Court deems just and proper.

Respectfully submitted,

SHOOK, HARDY & BACON L.L.P.

By: /s/ Douglas S. Beck
Douglas S. Beck, #70743
Sarah Lynn Baltzell, MO #60937
W. Clark Richardson, #27740
Michael Hayes, #71922
2555 Grand Boulevard
Kansas City, Missouri 64108-2613
Telephone: 816-474-6550
Facsimile: 816-421-5547
dbeck@shb.com
slynn@shb.com
wrichardson@shb.com
mhayes@shb.com

J. Max Rosen (*pro hac vice* pending)
Munger, Tolles & Olson L.L.P.
560 Mission Street, 27th Floor
San Francisco, CA 94105
Telephone: 415-512-4000
Max.rosen@mto.com

Cary B. Lerman (*pro hac vice* pending)
Munger, Tolles & Olson L.L.P.
350 South Grand Avenue, 50th Floor
Los Angeles, CA 90071-3426
Telephone: 213-683-9100
Facsimile: 213-683-5163
Cary.lerman@mto.com

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing was filed and served via the Court's electronic filing system on June 24, 2022, upon all counsel of record.

/s/ Douglas S. Beck